

REMARKS

Claims 1, 5-15, and 18-22 previously were pending. In response to a restriction requirement, claims 12-14 were elected for prosecution and the remaining claims were withdrawn. Claims 12-14 had been found allowable by the previous Examiner. In the present Office Action, however, claims 12-14 are rejected under 35 U.S.C. § 101 and § 112, ¶ 2. No rejection was made on the basis of prior art.

Initially, Applicant thanks the Examiner for discussing the rejections with Applicant's undersigned attorney by telephone on or about September 12, 2006. Although no agreement was reached, Applicant better understands the basis of the rejections. The substance of the discussion is reflected in the present claim amendments and these remarks.

Claims 12-14 are rejected under § 101 "because there is no concrete and tangible result recited in the claims." As the Examiner explained in the telephone conference, such a result theoretically may be, for example, displaying a result or an exchange of money.

Claim 12 has been amended to positively recite, after ranking the first hyperlink relative to another hyperlink, "displaying to the user a higher ranking hyperlink before a lower ranking hyperlink." The claim also has been amended to clarify that each hyperlink has associated with it a revenue estimated to be generated "by a user interacting with the website of the hyperlink." Claim 14 also has been amended to clarify that each referral has associated with it a revenue estimated to be generated "by a user interacting with the referral," and is amended to clarify that two referrals that have been ranked are displayed "at positions" on a website according to their ranking "such that the user is more likely to click on a referral having a higher rank than to click on a referral having a lower rank."

Accordingly, Applicant submits that both independent claims recite a "concrete and tangible result," so that the rejection under § 101 is traversed.

The claims were rejected under § 112, ¶ 2, as indefinite for lacking an antecedent basis for "the hyperlinks" in claim 12 and "the referrals" in claim 14. Applicant respectfully traverses this rejection. As identified to the Examiner in the telephone conference, Applicant believes the preamble of claim 12 provides the

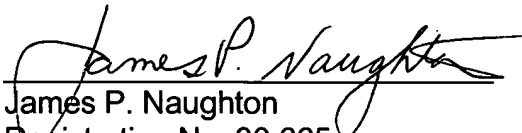
requisite antecedent basis by reciting a ranking website to rank "hyperlinks . . . wherein each hyperlink has associated with it" The preamble of claim 14 provides the requisite antecedent basis by reciting a ranking module that ranks "referrals . . . wherein each referral has associated with it"

Nevertheless, Applicant has amended the claims to recite in the body of the claims a "plurality" of hyperlinks (claim 12) and a "plurality" of referrals (claim 14). Accordingly, Applicant believes the rejection under § 112, ¶ 2 has been overcome and requests that the rejection be withdrawn.

New dependent claims 23-36 have been added in order to more fully protect Applicant's presently claimed invention and are believed to be patentable for at least the same reasons as independent claims 12 and 14.

Applicant respectfully requests reconsideration of this application and allowance of claims 12-14 and 23-36. If the Examiner believes the application still is not in condition for allowance, he is requested to telephone the undersigned at 312-321-4723 to expedite further prosecution.

Respectfully submitted,


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